IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 8TH AUGUST 2007 / 17TH SRAVANA 1929

WP(C).No. 10268 of 2004(V)

PETITIONER:

M/S. A.V.M. ELECTRONICS,
OTTUPARA, WADAKANCHERY, REPRESENTED BY ITS MANAGING PARTNER, MR.ARAVIND NAIR,
MANGOTTU HOUSE, KUMARANELLUR POST,
WADAKANCHERY, THRISSUR DISTRICT.

BY ADV. SRI.P.BHASKARAN

RESPONDENTS:
----

1. SOUTHERN RAILWAY REPRESENTED BY THE GENERAL MANAGER (COMML), MMC-MADRAS, THAMILNADU.

2. THE CHIEF CLAIMS OFFICER
HEAD QUARTERS OFFICE (RAILWAYS)
COMMERCIAL BRANCH/CLAIMS
M.M. COMPLEX, 5TH FLOOR, CHENNAI-3.

3. THE SUPERINTENDENT OF POLICE (RAILWAYS)
SHORNUR, PALAKKAD DISTRICT.

BY ADV. SRI.SUBAL J.PAUL, SC, RAILWAYS

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 08/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 10268/2004 V

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE CASH/CREDIT MEMO DATED 16/11/02 BY THE SUPER SALES ENTERPRISE TO THE PETITIONER.

EXT.P2. COPY OF THE DELIVERY NOTE ISSUED BY THE RAILWAY AUTHORITIES DT.28/11/02.

EXT.P3. COPY OF THE COMPLAINT DT. 28/12/02 BY THE PETITIONER BEFORE THE RAILWAY AUTHORITIES.

EXT.P4. COPY OF THE APPLICATION DT. 28/12/02 BY THE PETITIONER BEFORE THE RAILWAY AUTHORITIES.

EXT.P5. COPY OF THE ACKNOWLEDGEMENT DT. 2/1/03 BY THE RAILWAY AUTHORITIES.

EXT.P6. COPY OF THE LAWYER NOTICE DT. 25/3/03 CAUSED BY THE PETITIONER TO THE RAILWAY AUTHORITIES.

EXT.P7. COPY OF THE REMINDER APPLICATION DT. 10/2/2003 BY THE PETITIONER BEFORE THE RAILWAY AUTHORITIES.

EXT.P8. COPY OF THE COMMUNICATION DT. 14/7/03 BY THE RAILWAY AUTHORITIES TO THE PETITIONER.

EXT.P9. COPY OF THE COMMUNICATION DT. 6/8/03 BY THE RAILWAY AUTHORITIES TO THE PETITIONER.

EXT.P10. COPY OF THE COVERING LETTER DT. 11/08/03 BY THE PETITIONER TO THE RAILWAY AUTHORITIES.

EXT.P11. COPY OF THE COMMUNICATION DT. 9/3/ BY THE RAILWAY AUTHORITIES TO THE PETITIONER.

EXT.P12. COPY OF THE PETITION DT. 15/10/03 BY THE PETITIONER BEFORE THE R1.

RESPONDENT'S EXHIBITS **NIL.**

True copy

tga

KURIAN JOSEPH, J.

W.P. (C). NO. 10268 OF 2004

Dated this the 8th day of August, 2007.

J U D G M E N T

This writ petition is filed mainly with the following prayer:

> a) Issue a writ of mandamus or any other appropriate writ, order or direction to the respondents to search out the one missing box out of eight numbers despatched from Nizamudheen to Shornur by Railways and deliver the same to the petitioner without any loss, damage etc.

2. In view of the stand taken in the counter affidavit regarding the action taken in the matter, in case the petitioner has still any grievance left, petitioner may pursue the same in appropriate proceedings.

This writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

smp